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DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DETERMINATION OF ENDOMETRIAL RECEPTIVITY TOWARD EMBRYO IMPLANTATION

the specification of which

- () is attached hereto.
- (X) was filed by an authorized person on my behalf on September 8, 1998 as Application Serial No. 09/149,183, and
- (X) was amended by the Preliminary Amendment mailed September 8, 1998.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate listed below and so identified, or §365(a) of any PCT international application that designated at least one country other than the United States of America, listed below, and I have also identified below any foreign application for patent or inventor's certificate or PCT international application on this invention filed by me or my legal representatives or assigns and having a filing date before that of the application on which priority is claimed.

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed (Yes or No)</u>
N/A			

I hereby claim benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

<u>Application Serial No.</u>	<u>Filing Date</u>
N/A	

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
08/756,211	11/25/1996	Pending
08/400,270	3/3/1995	Issued
08/126,063	11/1/1993	Abandoned
07/897,706	6/12/1992	Issued

<u>PCT Application No.</u>	<u>Filing Date</u>	<u>Status</u>
N/A		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to Stephanie Seidman, HELLER EHRMAN WHITE & McAULIFFE, 4250 Executive Square, 7th Floor, La Jolla, California 92037-9103:

<u>Attorney</u>	<u>Reg. No.</u>
Stephanie Seidman	33,779
Paula K. Schoeneck	39,362
Barry S. Wilson	39,431
Dale L. Rieger	43,045

Address for correspondence: Stephanie Seidman
HELLER EHRMAN WHITE & McAULIFFE
4250 Executive Square, 7th Floor
La Jolla, CA 92037-9103

Full name of sole inventor:

Bruce Lessey

Inventor's signature:

Bruce Lessey

Date:

10/8/98

Residence:

520 Pleasant Green Rd

Post Office Address:

Hillsborough NC 27278

Citizenship:

U.S.A.

ASSIGNMENT

WHEREAS, I, Bruce Lessey, residing at 1001 Weller Avenue, Havertown, PA 19083, am the inventor of certain inventions or improvements for which I have made application for Letters Patent of the United States, identified as Case No. UPN-0912, titled Determination of Endometrial Receptivity Toward Embryo Implantation; and

WHEREAS, The Trustees of the University of Pennsylvania, hereinafter referred to as the assignee, of Philadelphia, Pennsylvania, a non-profit corporation of Pennsylvania, U.S.A., is desirous of acquiring the entire right, title and interest in and to the said inventions or improvements and in and to the said application, and in, to and under any and all Letters Patent which may be granted on or as a result thereof in any and all countries:

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) to me in hand paid by said Trustees of the University of Pennsylvania, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said Bruce Lessey have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, to said assignee, the entire right, title and interest in and to said inventions or improvements and said application and any and all continuations, divisions and renewals of and substitutes for said application, and in, to and under any and all Letters Patent which may be granted on or as a result thereof in the United States and any and all other countries, and any reissue or reissues or extension or extensions of said Letters Patent, and assign to and authorize said assignee to file in my name applications for Letters Patent in all countries the same to be held and enjoyed by said assignee, its successors, assigns, nominees or legal representatives, to the full end of the term or terms for which said Letters Patent respectively may be granted, reissued or extended, as fully and entirely as the same would have been held and enjoyed by me had this assignment, sale and transfer not been made.

AND I hereby covenant that I have full right to convey the entire interest herein assigned, and that I have not executed and will not execute any agreement in conflict herewith, and I further covenant and agree that I will each time request is made and without undue delay, execute and deliver all such papers as may be necessary or desirable to perfect the title to said inventions or improvements, said application and said Letter Patent to said assignee, its successors, assigns, nominees or legal representatives, and I agree to communicate to said assignee, or to its nominee all known facts respecting said inventions or improvements, said application and said Letters Patent, to testify in any legal proceedings, to sign all lawful papers, to execute all disclaimers and divisional, continuing, reissue and foreign applications, to make all rightful oaths, and generally to do everything possible to aid said assignee, its

successors, assigns, nominees and legal representatives to obtain and enforce for its or their own benefit proper patent protection for said inventions or improvements in any and all countries, all at the expense, however, of said assignee, its successors, assigns, nominees or legal representatives.

AND I hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any country or countries foreign to the United States whose duty it is to issue patents on applications as aforesaid, to issue to said assignee, as assignee of the entire right, title and interest, any and all Letters Patent for said inventions or improvements, including any and all Letters Patent of the United States which may be issued and granted on or as a result of the application aforesaid, in accordance with the terms of this assignment.

I further authorize and direct our attorneys to insert below* the serial number and filing date of said application now identified as Case No. UPN-0912 as soon as the same shall have been made known to them by the United States Patent Office.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

Gene A. Jerry (L.S.)

Teressa M. Dunn :
COUNTY OF Philadelphia :

SS

On this 10 day of June 1992, before me personally came the above named to me personally known and known to me to be the same individual who executed the foregoing assignment, and who acknowledged to me that he executed the same of his own free will for the use and purposes therein set forth.

NOTARIAL SEAL
TERESA M. DUNN, Notary Public
City of Philadelphia, Phila. County
My Commission Expires August 12, 1995

Teressa M. Dunn
Notary Public

*The above assignment covers application Serial No. 897,706, filed on June 12, 1992, 1992.

The above insertion made by me this 30th day of June, 1992.

John Woodcock
of WOODCOCK WASHBURN KURTZ
MACKIEWICZ & NORRIS

RECORDED
PATENT AND TRADEMARK
OFFICE

JUL -2 1992